IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

DISTRICT:

CIVIL APPLICATION NO. 2977 OF 2006

IN

FIRST APPEAL (St.) NO. 12511 OF 2006

Office Notes,Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Mr. Lokesh i/by G.S.Hegde & Associates for the Applicant.

Mr. K.K.Tated for the Respondent.

CORAM: S.B.DESHMUKH, J.

DATE : 18TH AUGUST,2006

P.C.:

Heard the learned Counsel for the parties.

2. By this application, the applicant is seeking condonation of delay to the extent of 60 days, occurred in filing the first appeal in this Court. The learned Counsel, Mr. K. K. Tated, appearing for the respondent, fairly submits, that he is not seriously opposing this civil application for

condonation of delay.

3. In this view of the matter, the civil application for condonation of delay is allowed.

Sd/-

(S.B.DESHMUKH, J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

DISTRICT:

CIVIL APPLICATION NO. 2978 OF 2006

IN

FIRST APPEAL (St.) NO. 12511 OF 2006

Office Notes,Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Mr. Lokesh i/by G.S.Hegde & Associates for the Applicant.

Mr. K.K.Tated for the Respondent.

CORAM: S.B.DESHMUKH, J.

DATE : 18TH AUGUST,2006

P.C.:

Heard the learned Counsel for the parties.

2. By this civil application, the applicant is seeking ad-interim relief in terms of prayer clause 5(a). The learned Counsel for the respondent has pointed out, that, it is a case of personal injury.

3. The ad-interim relief in terms of prayer clause 5(a) is hereby granted, on a condition that the applicant shall deposit the entire decretal amount in the Tribunal, within a period of six weeks from today.

4. It is made clear that in case of failure on the part of the applicant to deposit the decretal amount, within the stipulated time, the ad-interim relief, granted herein, shall stand vacated without reference to the Court.

5. The learned Counsel for the respondent, submits, that the respondent be permitted to withdraw the amount of compensation from the Tribunal.

6. The learned Counsel for the applicant, submit, that since the appeal filed on behalf of the applicant is pending in this Court,

withdrawal of amount be permitted on furnishing security. In my view, the dispute between the parties, is not on account of any transaction. However, in my view, the respondent can be permitted to withdraw the entire amount of compensation on his personal undertaking, to be filed in the Tribunal. The Tribunal, accordingly, is directed, that, on such deposit being made by the applicant, to disburse the amount to the respondent on such personal undertaking from the respondent.

7. It is made clear that this withdrawal will be subject to the final decision in the first appeal pending in this Court.

Sd/-

(S.B.DESHMUKH, J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

DISTRICT:

FIRST APPEAL (St.) NO. 12511 OF 2006

Office Notes,Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders
	Mr. Lokesh i/by G.S.Hegde & Associates for the Appellant. Mr. K.K.Tated for the Respondent. **CORAM: S.B.DESHMUKH, J.** **DATE : 18TH AUGUST,2006** **P.C.:** Heard the learned Counsel for the parties. 2. The civil application for condonation of delay is considered and allowed by this Court. The Registry, therefore, is directed to register the first appeal.

3. After hearing the learned Counsel for the parties, case for admission of the first appeal is established.

4. Hence admit.

5. Call for the records and proceedings.

6. Printing of paper book is dispensed with.

Sd/-

(S.B.DESHMUKH, J.)